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Paper No. 14

Jed W. Caven Hewlett Packard Company P.O. Box 272400, 3404 E. Harmony Road **Intellectual Property Administration** Fort Collins, CO 80527-2400

In re Application of: Stephen J. SICOLA, et al. Application No. 09/538,700 Filed: March 30, 2000

For: METHOD FOR TRANSMISSION LOG FAILOVER MERGING DURING ASYNCHRONOUS OPERATIONS IN A

DATA STORAGE NETWORK

MAILED

MAR 1 7 2006

**Technology Center 2100** 

**DECISION ON PETITION** UNDER 37 C.F.R. § 1.181 TO WITHDRAW HOLDING OF **ABANDONMENT** 

This is a decision on the renewed petition filed 20 August 2004 under 37 CFR § 1.181 requesting the withdrawal of the holding of abandonment of the above-identified application.

## The petition is **GRANTED**.

This application was held abandoned for failure to respond in a timely manner to the Office action mailed 02 June 2003. A Notice of Abandonment was mailed on 04 February 2004.

In support of the renewed petition, Petitioner provides a statement attesting by personal knowledge that the RCE of 02 September 2003 was timely transmitted on 02 September 2003. A copy of the Request for Continued Examination (RCE) was provided on 02 April 2004.

Applicant has established that a timely RCE was filed on 02 September 2003. The Notice of Abandonment is hereby withdrawn.

The copy of Request for Continued Examination filed on 02 April 2004 is being forwarded to the Technology Center support Staff for processing the RCE and entering the Amendment after Final filed on 04 August 2003. The file will then be forwarded to the examiner for appropriate action.

Serial No.: 09/538,700 Decision on Petition

Any inquiry concerning this decision should be directed to Vincent N. Trans whose telephone number is (571) 272-3613.

Vincent N. Trans

Special Program Examiner Technology Center 2100

Computer Architecture, Software, and

Information Security